

BILL NO. G-70-06-34

GENERAL ORDINANCE NO. G-92-70

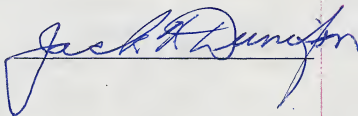
AN ORDINANCE prohibiting certain operations
of open air theaters and providing penalties.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

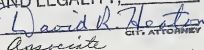
SECTION 1. The operation of an open air theater as a
business for profit in such manner that the performance may be
seen or heard by persons who have not paid admission in places
open to the public more than 500 feet outside of the premises
controlled by the proprietor of the theater is hereby declared
to be a public nuisance and prohibited.

SECTION 2, Any person operating a theater in the manner
described in Section 1 shall be subject to a penalty of not more
than \$300 for each offense. Each day of such operation shall
constitute a separate offense.

SECTION 3. This Ordinance shall be effective from and
after its passage and approval by the Mayor and publication as
provided by law.



APPROVED AS TO FORM
AND LEGALITY.


Associate
CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____, 196____, at _____ o'clock P.M., E.S.T. _____

Date: 6-23-70

Fred H. Bonachoon
City Clerk

Read the third time in full and on motion by Dunifon seconded by Rousseau and duly adopted, placed on its passage.

Passed (~~EST~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	_____	ABSENT	_____	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Fay	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Geake	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Nuckols	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Robinson	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date 7-28-70

Fred H. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 892-70

on the 18th day of July, 19670.

ATTEST: (SEAL)

Fred H. Bonachoon
City Clerk

Herbert P. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of July, 19670 at the hour of 8:30 o'clock A.M., E.S.T.

Fred H. Bonachoon
City Clerk

Approved and signed by me this 29th day of July, 1970, at the hour of 9:03 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

*Hold for
Committee
Meeting*

Bill No. G-70-06-34

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
prohibiting certain operations of open air theaters and providing penalties,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *Do* PASS.

JACK K. DUNIFON, Chairman
EDWIN J. ROUSSEAU, Vice-Chairman
THOMAS G. ADAMS
WILLIAM K. GEAKE
PHIL A. STEIGERWALD

Jack K. Dunifon
Edwin J. Rousseau
Thomas G. Adams
William K. Geake
Phil A. Steigerwald

CONCURRED IN

DATE 7-28-70 FUAD G. BONAHOOM, CITY CLERK

Common Council-City of Ft. Wayne
(Governmental Unit)

To: JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—

71

1

72

COMPUTATION OF CHARGES

72 lines, columns wide equals equivalent lines at .288¢
cents per line

20.74

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

20.74

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 20, 1970

Title ARILLA DEWALL CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARILLA DEWALL who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows: August 10, 1970 August 17, 1970

Subscribed and sworn to before me this 20th day of August 1970

My commission expires on 8, 1974 Notary Public

Notice is hereby given that on the 28th day of July, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General Ordinance, to-wit:

Bill No. G-70-05-34
GENERAL ORDINANCE NO. G-72-70
AN ORDINANCE prohibiting certain operations of open air theaters and providing penalties.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The operation of an open air theater as a business for profit in so manner that the performance may be seen or heard by persons who have not paid admission in places open to the public more than 500 feet outside of the premises controlled by the proprietor of the theater is hereby declared to be a public nuisance and prohibited.

SECTION 2. Any person operating a theater in the manner described in Section 1 shall be subject to a penalty of not more than \$300 for each offense. Each day of such operation shall constitute a separate offense.

SECTION 3. This Ordinance shall be effective from and after its passage and approval by the Mayor and publication as provided by law.

JACK K. DUNIFON, Councilman.
Read the third time in full and on motion by Dunifon seconded by Rousseau and duly adopted, placed on its passage. Passed by the following vote:Ayes: nine.
Adams, Dunifon, Fay, Geake, Nuckels, Robinson, Rousseau, Steiglerwald, Tipton.
Nays: none.
Date: 7-28-70.FUAD G. BONAHOOM, City Clerk.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-72-70 on the 28th day of July, 1970.ATTEST:
FUAD G. BONAHOOM, City Clerk.
HERBERT G. TIPTON, Presiding Officer.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of July, 1970, at the hour of 8:30 o'clock A.M., E.D.T.FUAD G. BONAHOOM, City Clerk.
Approved and signed by me this 29th day of July, 1970, at the hour of 9:03 o'clock A.M., E.D.T.HAROLD S. ZEIS, Mayor.
I, Fuad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-72-70 passed by the Common Council on the 28th day of July, 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 29th day of July, 1970, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of July, 1970.

FUAD G. BONAHOOM, City Clerk.
8-10-77.

Common Council-City of Ft. Wayne
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA.....

PUBLISHER'S CLAIM

LINE COUNT

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COMPUTATION OF CHARGES

72 lines.....columns wide equals.....equivalent lines at .288¢.....\$ 20.74
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 20.74

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date August 20, 1970

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper 2 time, the dates of publication being as follows:

August 10, 1970

August 17, 1970

Subscribed and sworn to before me this 20th day of August 1970

Edith Stapleton
Notary Public

My commission expires March 8, 1974



Notice is hereby given that on the 29th day of July, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General Ordinance, to wit:
Bill No. G-70-06-34
GENERAL ORDINANCE NO. G-72-70
AN ORDINANCE prohibiting certain operations of open air theaters and providing penalties.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. The operation of an open air theater as a business for profit in such manner that the performance may be seen or heard by persons who have not paid admission in places open to the public more than 500 feet outside of the premises controlled by the proprietor of the theater is hereby declared to be a public nuisance and prohibited.
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SECTION 3. This Ordinance shall be effective from and after its passage and approval by the Mayor and publication as provided by law.
JACK K. DUNIFON, Councilman.
Read the third time in full and an motion by Dunifon seconded by Rousseau and duly adopted, placed on its passage.
Passed by the following vote:
Ayes: nine
Adams, Dunifon, Fay, Geake, Nuckolls, Robinson, Rousseau, Steigewald, Tipton.
Nays: none.
Date: 7-28-70.
FUAD G. BONAHOOM, City Clerk.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-72-70 on the 28th day of July, 1970.
ATTEST:
FUAD G. BONAHOOM, City Clerk.
HERBERT G. TIPTON, Presiding Officer.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of July, 1970, at the hour of 8:30 o'clock A.M., E.D.T.
FUAD G. BONAHOOM, City Clerk.
Approved and signed by me this 29th day of July, 1970, at the hour of 9:03 o'clock A.M., E.D.T.
HAROLD S. ZEIS, Mayor.
I, Fuad G. Bonaboom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-72-70 passed by the Common Council on the 28th day of July, 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 29th day of July, 1970, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of July, 1970.
FUAD G. BONAHOOM, City Clerk.
8-10-7.